

Appeal Decision

Site visit made on 28 November 2016

by Diane Fleming BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 December 2016

Appeal Ref: APP/C5690/C/16/3158049
73 Glenfarg Road, London SE6 1XN

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Xiong Bing He against an enforcement notice issued by the Council of the London Borough of Lewisham.
 - The enforcement notice was issued on 28 July 2016.
 - The breach of planning control as alleged in the notice is without planning permission, the carrying out of the following development at the premises: 1. The construction of an extension in the rear roof, 2. The increase in height of the roof ridge, and 3. The alteration to the plane of the front roof.
 - The requirements of the notice are:
 1. Remove the roof extension from the rear roof of the premises.
 2. Reinstate the roof slope to its form which existed prior to the unauthorised development by:
 - a) reinstating the pitched roof slope to the rear of the premises and
 - b) reinstating the interlocking concrete tiles to the pitched roof slope to the rear of the premises to match the tiles on the front roof slope of the premises.
 3. Reinstate the front roof slope to its appearance which existed prior to the unauthorised development by:
 - a) removing the concrete interlocking tiles from the front roof slope,
 - b) reducing the height of the roof ridge to its former height as shown on the photograph attached to the notice and
 - c) Reinstate the interlocking concrete tiles to the pitched roof slope as shown on the photograph attached to the notice.
 4. Reinstate the hipped roof as shown on the photograph attached to the notice.
 5. Make good all damage to the premises resulting from compliance with the requirements 1-4.
 6. Remove all materials, debris, waste and equipment resulting from the compliance with requirements 1-5.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.
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The ground (a) appeal and the deemed planning application

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and the surrounding area.

Reasons

3. The appeal site lies within a residential area and comprises a two storey, end of terrace, Victorian property. This has been extended to the rear with a single storey addition and there is also a large outbuilding at the rear of the appeal site garden that extends across into the neighbouring garden at No 71. Glenfarg Road is a long road where the houses are arranged in short terraces. Rooflines are stepped as the road is on a gentle incline so some of the raised party walls are more pronounced than others. Along each of the terraces the regular spacing of front bay windows and other details such as hipped roofs at the end of each terrace help to define the rhythm of the street and contribute towards the attractive character and appearance of the area.
4. The appellant has added an extension at roof level and in order to accommodate the extra space he has changed the hipped roof to a gable shape in part and built the rear and side walls of the house upwards. The raised party wall with the adjoining property, No 75, remains unaltered though the extension is hard up against it. The angle of the front roof slope has also been increased. The flank walls of the extension are rendered but the rear elevation is tiled.
5. Although the Council have described the unauthorised works as an extension in the rear roof, the appellant's development is more akin to an additional storey. This is due to the loss of the existing eaves detail in the construction of the extension. I consider the works have resulted in an extremely large addition to the roof due to the height, depth and width of the extension and that the new roof profile is out of scale and character with the host property and the rest of the terrace. The extension, which is full width, appears top heavy on this modest sized property and is a significant alteration to the roof as it not only includes a change from a hip to a part gable shape but also includes a noticeable increase in pitch of the front roof slope. This has meant any semblance of the original roof has now been lost and in particular there is now no differentiation between the rear wall of the property and the roof.
6. The appellant submits that the increase in the overall height of the roof is only 200mm and this is necessary to provide a sufficient, internal, floor to ceiling height. However, the increase in height is noticeable in the street scene as the appeal property is at the end of a terrace and consequently there is only one raised party wall which partly obscures the change. I find all of the alterations to the roof disrupt the generally uniform appearance of the roof line along the road, the integrity of which it is important to maintain due to the contribution it makes to the character and appearance of the area.
7. For the reasons given, it is concluded that the extension harms the character and appearance of the host property and the surrounding area. It therefore does not accord with Policies 7.4 and 7.6 of The London Plan¹, Policy 15 of the

¹ The London Plan, Spatial Development Strategy for Greater London March 2015

Council's Core Strategy², DM Policy 30 and DM Policy 31 of the Council's Development Management Local Plan.³ These policies require, amongst other matters, that extensions to existing buildings should respect the form, setting, period and architectural detailing of the original building. The appeal on ground (a) therefore fails.

Conclusion

8. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the deemed application.

D Fleming

INSPECTOR

² Lewisham Local Development Framework Core Strategy Development Plan Document Adopted June 2011

³ Lewisham Local Development Framework Development Management Local Plan Adopted 26 November 2014
